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CITY/REGION

Gay men settle civil case filed against city police

By **Tanya Bell**/The Gazette

Two gay men who sued the city of Colorado Springs and its police department for violating their civil rights settled the case in U.S. District Court in Denver Wednesday.

The plaintiffs' attorney, Michael Duncan, refused to release details of the settlement. He would only say that the case had been resolved.

City officials could not be reached for comment.

Plaintiffs Dwayne Arellano and Michael Mahair filed the lawsuit against former Colorado Springs police officer Daniel Gonzalez, the city of Colorado Springs and Police Chief Lorne Kramer. They sought damages in excess of $1 million.

The lawsuit said that on March 13, 1996, the pair was approached in Palmer Park by Gonzalez, who was on duty in plain clothes. Gonzalez was part of a police sting targeting gay men for public indecency charges.

Gonzalez allegedly made sexual advances toward the two men, who told him they weren't engaging in any illegal behavior and they weren't interested.

Court documents said the officer persisted and the men continued to reject the advances. Both were eventually cited for public indecency, according to the complaint.

For several years police have targeted the 760-acre park because of the illicit homosexual encounters taking place there. Police made more than 150 arrests last year.

Arellano was acquitted of the public indecency charge in municipal court. The city later dismissed the charges against Mahair.

In the complaint, both men said they suffered lost wages and emotional distress after the experience.

Mahair said he lost his job and had to go to counseling. He originally sought damages totaling $955,000, according to court documents.

Arellano's claim for relief said he now "experiences fear when contacting law enforcement officials." He sought $152,500 in damages.

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Accused killer's atto quits in 'interest of

Suspect harassed in jail, seeks move to Boulder

By **Tanya Bell**
The Gazette

One of the attorneys representing a man accused of kidnapping, raping and murdering a young woman in April has stepped down.

Ed Farry, who represents 21-year-old Lucas Salmon, filed a motion last month to be removed from the death penalty case. Fourth Judicial District Judge David Parrish granted the motion earlier this week.

Court records indicated that Farry and Salmon agreed he should get off of the case in the "interest of justice." Farry did not return phone calls seeking comment.

Farry, who was hired by Salmon's family, will be replaced by Roberta Nieslanik, a Grand Junction attorney. She was appointed by the court and will work with L also court-appoin

Salmon does r Public Defender's who allegedly co is being represen represent both m reasons.

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Salmon is due motions hearing. moved to a jail i ne is going "craz Paso County jail the motion, Salm County's jail.

No trial dates

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